AMENDATORY SECTION (Amending WSR 94-07-066, filed 3/14/94, effective 4/14/94)

WAC 458-19-025 ((One hundred six percent levy limit--)) **Restoration of regular levy.** ((~~(RCW 84.55.015)~~))

(1) ((~~When a taxing district elects to impose a regular property tax levy, after not having imposed such a levy in any one of the three most recent years~~)) **Introduction.** This rule explains how a taxing district restores a regular property tax levy if it has not levied since 1985 and it elects to restore a regular property tax levy in accordance with RCW 84.55.015.

(2) **Calculation of restored regular levy.** If a taxing district has not levied since 1985 and it elects to restore a regular property tax levy, the first regular property tax payable as a result of the restored levy ((~~shall not~~)) cannot exceed the lesser of:

(a) The combination of the following:

(i) The amount ((~~that could have been lawfully levied in 1973~~)) last levied plus,

(ii) A dollar component calculated by ((~~adding~~)) multiplying the increase in assessed value of property in the district attributable to new construction((~~,~~)) and improvements to property((~~, and any increase in the assessed value of state assessed property, starting with 1974~~)) since the last levy through the current year((~~. Multiply that total~~)) by the levy rate that is proposed to be restored. The levy rate that is proposed to be restored ((~~shall be~~)) is determined by dividing the total dollar amount ((~~of the levy that could have been made in 1973~~)) that was last levied by the district by the current year's assessed value after deducting the accumulated assessed value attributable to new construction((~~,~~)) and improvements to property((~~, and any increase in the assessed value of state assessed property since 1974~~)) since the last levy; or

(b) The maximum amount which could be lawfully levied by that district in the year ((~~such a~~)) the restored levy is proposed, subject to the ((~~statutory aggregate dollar rate limit, the constitutional limit, and the~~)) statutory dollar rate limit contained in the taxing district's authorizing statute, without considering the calculation used in subsection ((~~(1)~~)) (2)(a) of this ((~~section~~)) rule.

((~~(c)~~)) (3) **Example.** Taxing district "A" has not levied a regular levy ((~~in any of the three most recent years. Taxing district "A" could have~~)) since 1985 when it levied $10,000 ((~~in 1973~~)) based upon ((~~1973~~)) 1985 assessed values and all lawful limitations at that time. The total ((~~of~~)) increase((~~s~~)) since

the 1985 assessment year in assessed value of property ((resulting from)) in the district as a result of new construction((,)) and improvements to property((, and increase in the assessed value of state assessed property)) beginning in ((1974)) 1986 through the current assessment year is $3,000,000. The assessed value of taxing district "A" for the current year is $15,000,000. The calculation for (a) of this subsection is as follows:

Current year A.V. -	$15,000,000
((Subtract)) Minus increases in new construction((, etc.)) and improvements to property	- 3,000,000
	$12,000,000
since ((1973)) 1985 -	
((Levy amount allowable)) Amount levied in ((1973)) 1985 -	$10,000
Current year A.V. less increases in new construction and improvements to property -	÷ $12,000,000
Levy rate proposed to be restored -	.000833
Increases in new construction((, etc.)) and improvements to property -	x $3,000,000
Calculated dollar amount -	$2,500
Allowable ((1973)) 1985 levy -	+ 10,000
Allowable levy for current year (under (a)) -	$12,500

The amount calculated under (a) of this subsection must be compared to the amount determined under (b) of this subsection and the lesser of the two amounts is the maximum amount that can be levied ((under this section)).

((+2+)) (4) **Assessor to maintain taxing district records.** Records of value increases attributable to new construction((,)) and improvements to property, and increases in the value of state assessed property ((shall)) are to be maintained each year by the county assessor for each taxing district whether or not the district imposes a regular property tax levy.